

Page 1

Memorandum of Agreement

City of San José

and

**Association of Engineers and Architects (AEA)
International Federation of Professional and
Technical Engineers, Local 21
AFL-CIO
Unit 043**



July 1, 2011 – June 30, 2013

Reinstatement Eligible List, unless such person has reinstatement rights under the provisions of this Article to a higher class than the one in which the reinstatement is being refused.

- 9.6.2 In the event an employee accepts reinstatement to a lower class to which he/she is entitled, such person's name shall remain on the Reinstatement Eligible List for reinstatement to a lateral class, provided such person, except for lack of seniority, would have been otherwise entitled to such lateral class at the time of the most recent layoff.
- 9.6.3 Any person who is reinstated to a class which is the highest class to which he/she would have been entitled at the time of the layoff shall have his/her name removed from the Reinstatement Eligible List.
- 9.6.4 In the event a person on layoff cannot be contacted by the City through usual and customary channels, including, but not limited to emails, phone calls or regular mail within ten (10) working days, such person's name shall be removed from the Reinstatement Eligible List, providing, however, that such person within the three (3) year period specified herein may request that his/her name be replaced on the Reinstatement Eligible List and such person's name may, in the sole discretion of the Director of Human Resources or his/her designee, be returned to the Reinstatement Eligible List. It shall be the responsibility of each person placed on the Reinstatement Eligible list to notify the Department of Human Resources of changes in contact information including, but not limited to email address, phone number or mailing address.
- 9.6.5 In no event shall the names of any person laid off pursuant to the provisions of this Article remain on a Reinstatement Eligible List for a period longer than three (3) years from the effective date of such person's most recent layoff. If there are employees on a Reinstatement Eligible List, the City will review such list prior to contracting-out work, or hiring outside work, to determine if the work could be performed by someone on the Reinstatement Eligible List.
- 9.6.6 Upon reinstatement to any classification to which the employee is entitled pursuant to the provisions of this Article, all benefits acquired by the employee prior to his/her layoff shall also be reinstated. An employee shall not receive credit for time spent on layoff in computing time for any benefit entitlement.

ARTICLE 10 WAGES AND SPECIAL PAY

- 10.1 Salary Effective June 26, 2011, all salary ranges for employees holding positions in classifications assigned to AEA (Unit 43) shall be decreased by approximately 10.1%. This will result in the top and bottom of the range of all classifications represented by AEA (Unit 43) being 10.1% lower. All employees will receive a 10.1% base pay reduction.